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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,377	06/28/2000	Puneet Agarwal	P4501	5997

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PO BOX 187  
AROMAS, CA 95004

EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/606,377	<b>Applicant(s)</b> AGARWAL ET AL.	
	<b>Examiner</b> Oanh L. Duong	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/23/2004 has been entered.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chao et al (Chao) (US 6,338,092 B1) in view of Goertzel et al (Goertzel) (US 6,208,952 B1).

Regarding claims 1 and 7, Chao teaches in a distributed processor system wherein each of the first plurality of processors maintains a copy of the database (see abstract), a method for synchronized maintenance and distribution of the database (see col. 3 lines 22-23) comprising:

registering each of the first plurality of processors with at least one other of the first plurality of processors, creating client-server pairs (col. 5 lines 34-41);

sharing the generated or amended data from the servers to the clients, such that each of the first plurality of processors receives generated or amended data (see col. 5 lines 3-47).

Chao does not a processor running the first and second protocols.

Goertzel, in the same field of endeavor each of plurality of processors either run **OR** is registered with a processor running both the first and second protocols (see col. 1 lines 59-62 and col. 4 line 36-col. 5 line 20). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the processor running both a first and second protocols of Goertzel in the process of synchronizing of the database in Chao because such a processor running the first and second protocol would allow the server to communicate with various clients over different protocols (Goertzel, col. 16-18).

Regarding claims 2 and 8, Chao teaches registering each of the second plurality of processors with at least one of the first plurality of processors, creating client-server pairs between individual one of the first and second plurality of processor and sharing at least a subset of the database from the servers in the first plurality of processors to the clients in the second plurality of processors (see col. 10 lines 57-67).

Regarding claims 3 and 9, Chao teaches registering each of a third plurality of processors with individual ones of the second plurality of processors, creating client-server pairs between individual ones of the second and the third plurality of processors,

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enabling clients in the third plurality of processors to receive copies of the subset of the database (see col. 10 lines 57-67).

Regarding claims 4 and 10, Chao teaches clients register with a second processor to create a redundant server-client relationship for fault tolerance (see fig. 3 col. 4 lines 13-17).

Regarding claims 5 and 11, Chao teaches communicates only with the primary server as long as the primary server remains capable, and further comprising a step of activating the secondary server in the event the primary server fails (see col. 7 lines 4-19).

Regarding claim 6 and 12, Chao teaches uses only the difference in further propagation of copies (Chao, col. 3 lines 33-36).

2. Claims 13-15 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edsall et al. (Edsall) (US 6,735,198 B1) in view of Cain et al. (Cain) (US 6,575,289 B1).

Regarding claims 13 and 19, Edsall teaches in a data packet router wherein each of the first of processors maintains a copy of routing table, an method for synchronizing maintenance and distribution of the routing table and a forwarding table subset of the routing table (abstract), comprising the steps of:

registering each of the first plurality of processors with at least one of other of the first plurality of processors, creating client-server pairs, and sharing the routing data

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from the servers to the registered clients, such that each of the first plurality of processors receives the routing data (col. 4 lines 13-21).

Edsall does not teach each of the plurality of processors either runs **or** is registered with a processor running both the first and second routing protocols.

Cain, in the same field of endeavor, teaches each of the plurality of processors either runs **or** is registered with a processor running both the first and second routing protocols (Fig. 5, col. 4 lines 6-9, col. 6 lines 63-65 and col. 7 line 63-col. 8 line 33). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the each of the plurality of processors either runs **or** is registered with a processor running both the first and second routing protocols of Cain in the process of synchronizing routing table in Edsall because such use of each of the plurality of processors either runs **or** is registered with a processor running both the first and second routing protocols would enable the router to implement a variety of routing protocols, and thereby increasing the performance of the router.

Regarding claim 14 and 20, Edsall-Cain teaches registering each of the second plurality of processors with at least one of the first plurality of processors, creating client-server pairs between individual one of the first and second plurality of processor and sharing at least a subset of the database from the servers in the first plurality of processors to the clients in the second plurality of processors (Edsall, col. 3 lines 32-48).

Regarding 15 and 21, Edsall-Cain teaches registering each of a third plurality of processors with individual ones of the second plurality of processors, creating client-server pairs between individual ones of the second and the third plurality of processors, enabling clients in the third plurality of processors to receive copies of the subset of the database ((Edsall, col. 3 lines 32-48).

3. Claims 16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edsall et al. (Edsall) (US 6,735,198 B1) in view of Cain et al. (Cain) (US 6,575,289 B1) in further view of Chao.

Regarding claims 16 and 22, Edsall-Cain teaches fault tolerance.

Chao, in the same field of endeavor, teaches clients register with a second processor to create a redundant server-client relationship for fault tolerance (see fig. 3 col. 4 lines 13-17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized fault tolerance of Chao in the process of synchronizing table in Edsall because such fault tolerance would guarantee replicas remain synchronized (Chao, col. 2 line 36-37).

Regarding claims 17 and 23, Edsall-Cain-Chao teaches communicates only with the primary server as long as the primary server remains capable, and further comprising a step of activating the secondary server in the event the primary server fails (Chao, col. 7 lines 4-19).

Regarding claim 18 and 24, Edsall-Cain-Chao teaches uses only the difference in further propagation of copies (Chao, col. 3 lines 33-36).

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D  
August 21, 2004



HOSAIN ALAM

SENIOR PATENT EXAMINER